

# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration 500 West Temple Street, Room 713, Los Angeles, California 90012 (213) 974-1101 http://ceo.lacounty.gov

September 20, 2011

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, CA 90012

**Dear Supervisors:** 

DEPARTMENT OF PUBLIC WORKS:
CASTAIC SPORTS COMPLEX POOL PROJECT
ADOPT MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM
AWARD DESIGN-BUILD CONTRACT
SPECS. 6996; CAPITAL PROJECT NO. 69557
(FIFTH DISTRICT) (3 VOTES)

SUBJECT

Approval of the recommended actions will adopt the Mitigated Negative Declaration and award a design-build contract for the Castaic Sports Complex Pool Project.

#### IT IS RECOMMENDED THAT YOUR BOARD:

- 1. Consider the Mitigated Negative Declaration for the Castaic Sports Complex Pool Project together with any comments received during the public review period; find that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during Project implementation; find on the basis of the whole record before the Board that there is no substantial evidence the Project will have a significant effect on the environment; and adopt the Mitigated Negative Declaration.
- 2. Approve the Castaic Sports Complex Pool Phase I Project (Capital Project No. 69557) and find that Perera Construction & Design, Inc., is the Responsive and Responsible Bidder that submitted the most advantageous and

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MARK RIDLEY-THOMAS Second District

ZEV YAROSLAVSKY Third District

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best value proposal for the Castaic Sports Complex Pool Phase I Project, and award a design-build contract to Perera Construction & Design, Inc., for a maximum contract sum of \$9,582,000 (inclusive of the base contract sum of \$9,391,222 and design-completion allowance of \$190,778), contingent upon submission of acceptable Faithful Performance and Payment for Labor and Materials Bonds, and evidence of required insurance filed by Perera Construction & Design, Inc.

3. Authorize the Director of Public Works, in coordination with the Chief Executive Officer, to exercise control of the design-completion allowance of \$190,778, including the authority to reallocate the allowance into the contract sum, as appropriate.

# PURPOSE/JUSTIFICATION OF THE RECOMMENDED ACTION

Approval of the recommended actions will adopt the Mitigated Negative Declaration (MND) and award a design-build contract for the Castaic Sports Complex Pool Project located at 31230 Castaic Road, Castaic, California.

# **Project Implementation**

The proposed Castaic Sports Complex Pool Project Phase I (Project) includes construction of an approximately 12,500 square-foot pool building with restrooms, changing rooms, staff offices, storage and utility rooms, outdoor recreational swimming pool, and shallow swimming pool with a combined splash pad; and associated site improvements, including parking, walkways, fencing, landscaping, grading, and underground utilities. In addition, the Project will include off-site road improvements, including construction of curb, sidewalk, and lighting along Castaic Road. The MND also analyzes the environmental impacts associated with possible future development (Phase II) of a 50-meter Olympic size swimming pool, and a new paved parking lot for 150 vehicles east of the pool complex.

# **Design-Build Contract Award**

On October 20, 2010, the Department of Public Works (Public Works) issued a Request for Proposals (RFP) for design-build services for the Project. A total of 19 firms submitted prequalification questionnaires in response to the RFP, and the three highest scoring prequalified proposers were short-listed and invited to participate in the second part of the RFP for submission of technical and cost proposals. Based on the criteria stated in the RFP, Perera Construction & Design, Inc. (Perera) submitted the most

advantageous and best value proposal for design and construction of the proposed Project.

We recommend awarding the design-build contract for a not-to-exceed maximum contract sum of \$9,582,000 (inclusive of the base contract sum of \$9,391,222 and design-completion allowance of \$190,778). As part of the base contract sum, the 12,500-square-foot pool building will include a 4,000-square-foot shell expansion to accommodate future development of the 50-meter Olympic swimming pool.

The contract's design-completion allowance of \$190,778 is intended to facilitate the resolution of issues identified only during the design phase of the Project, including issues concerning the County's scoping documents or changes required by jurisdictional agencies or due to unforeseen conditions discovered during design, including any increased design and construction costs associated therewith. The inclusion of the design-completion allowance will facilitate the decision process during design and minimize potential delays that could occur while design phase issues are resolved. Control of the design-completion allowance will be exercised by Public Works, but Public Works will be required to notify and obtain written authorization from the Chief Executive Office (CEO) before any reallocation of funds from the design-completion allowance into the contract sum. The design-completion allowance shall not be used to fund the resolution of issues, conditions, or changes encountered during the construction phase.

#### Green Building/Sustainable Design Program

The Project will comply with the County's Energy and Environmental Policy. The Project will be designed and constructed to achieve the United States Green Building Council Leadership in Energy and Environmental Design (LEED) Silver level certification by incorporating sustainable design features to optimize energy and water use efficiency, enhance the sustainability of the site, improve indoor environmental quality, and maximize the use and reuse of sustainable and local resources.

### Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1); Children, Family, and Adult Well-Being (Goal 2); and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance recreational opportunities for County residents.

## FISCAL IMPACT/FINANCING

The total Project cost, including programming, scoping documents, consultant services, plan check, construction, civic art allocation, miscellaneous expenditures, and County services, is currently estimated at \$13,000,000, which is consistent with the amount previously approved by your Board on July 20, 2010. The Project Schedule and Budget Summary are detailed in Attachment A.

The Project is funded with \$10,350,000 of Fifth District net County cost allocated to Enhanced Unincorporated Area Services (Proposition 62 funds) and \$2,650,000 of Park-in-Lieu Fees (Quimby) Special Funds in Park Planning Area No. 35.

### **Operating Budget Impact**

Following completion of the Project, the Department of Parks and Recreation (Parks and Recreation) anticipates one-time, start-up costs of approximately \$34,000 for equipment and ongoing operating costs of \$841,000 for recreation and maintenance. Parks and Recreation will work with the CEO to confirm the appropriate level of funding and request one-time and ongoing funds in the Parks and Recreation Fiscal Year 2012-13 Proposed New Facilities request.

# FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to your Board's Civic Art Policy adopted on December 7, 2004, as amended, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund.

# **ENVIRONMENTAL DOCUMENTATION**

An Initial Study was prepared for the Phase I and Phase II Projects in compliance with the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant effects of the Project in the areas of cultural resources, geology and soils, hazards and hazardous materials, and hydrology and water quality. Prior to the release of the proposed MND for public review, revisions in the Project were made or agreed to which would avoid these effects or mitigate them to a point where clearly no significant effects would occur as follows:

• Air Quality: Water for dust control, limit speed on unpaved areas, suspend excavation and grading during high winds, and minimize equipment idling time.

- Cultural Resources: Provide archaeological and paleontological monitoring of excavation, implement established protocols in the event of the inadvertent discovery of archaeological materials or paleontological resources, and implement established protocols in the event of inadvertent discovery of human remains.
- Geology and Soils: Design and construct the Project in accordance with the geotechnical investigation report and applicable sections of the California Building Code; and implement Best Management Practices during construction for dust control.
- Hazards and Hazardous Materials: Establish and implement soil management plan of procedures to follow in the event soil contamination is encountered; and implement a monitoring program for hydrogen sulfide.
- Hydrology and Water Quality: Design and construct the Project to provide proper drainage and avoid flooding; implement Best Management Practices during construction to prevent erosion and siltation; and implement cleaning and maintenance procedures for the pool complex that prohibit rinse water or trash from entering storm drains.
- Noise: Implement noise abatement measures so that noise is kept to a minimum during construction, and limit construction activities to certain hours in accordance with the Los Angeles County Noise Control Ordinance.

The Initial Study and Project revisions showed that there is no substantial evidence, in light of the whole record before the County, that the Project as revised may have a significant effect on the environment. Based on the Initial Study and Project revisions, an MND was prepared for this Project. The proposed Mitigation Monitoring and Reporting Program (Appendix C of Attachment C) was prepared to ensure compliance with the environmental mitigation measures included as part of the final MND (Attachment B) relative to these areas during project implementation. An additional mitigation measure in the area of biological resources was added in response to comments received from the Department of Fish and Game regarding nesting birds; however, the measure is added as a precautionary measure and not as a result of the identification of a new significant impact. There has been no substantial revision of the MND since public circulation that would result in a new avoidable significant effect and previously proposed mitigation measures and Project revisions will ensure that all significant environmental effects are reduced to below the level of significance.

Public Notice was published in The Signal Newspaper on May 15 and 16, 2011, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. During the 30-day comment period, which ended on June 20, 2011, comment letters were received from the following three public agencies: California Department of Fish and Game, County Sanitation Districts of Los Angeles County, and Newhall County Water District. After the comment period, one written response was received from the County of Los Angeles Fire Department. No comments were received from members of the public. All comments received, as well as responses to the comments, are contained in the final MND (Appendix F of Attachment C) and have been sent to the commenting public agencies pursuant to Section 21092.5 of the California Public Resources Code (CPRC).

The location of these documents and other materials constituting the record of the proceedings upon which your Board's decision is based in this matter are filed with the County of Los Angeles Department of Public Works, Project Management Division I, 900 South Fremont Avenue, 5th Floor, Alhambra, California 91803.

The Project is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. Upon your Board's adoption of the MND, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the CPRC and pay the required filing and processing fees with the Registrar-Recorder/County Clerk in the amount of \$2,119.

# **CONTRACTING PROCESS**

On October 20, 2010, Public Works issued the RFP, including the standardized prequalification questionnaire, while the scoping documents were being prepared by J.C. Chang & Associates. This contract opportunity was listed in the County's "Doing Business with Us" website. The first part of the RFP required prospective design-build firms to submit responses to the standardized prequalification questionnaire. On November 18, 2010, 19 firms submitted prequalification questionnaires. Additionally, the RFP specified that the three highest scoring prequalified proposers identified by the evaluation committee would be short-listed and invited to participate in the second part of the RFP for submission of technical and cost proposals. The three short-listed firms were C.W. Driver, Perera, and Whiting-Turner Contracting.

On December 30, 2010, Public Works requested technical and cost proposals from the three short-listed prequalified firms. On February 14, 2011, Whiting-Turner Contracting declined to submit a technical and cost proposal. On February 16, 2011, the fourth short-listed prequalified firm, Tilden-Coil Constructors, was requested to submit a technical and cost proposal, and the proposal period was extended by approximately six weeks. On April 18, 2011, technical and cost proposals were received. On June 15, 2011, the proposals were evaluated and ranked based on technical design, construction expertise, proposed delivery plan, schedule, price, life cycle costs, skilled labor force availability, acceptable safety record, and design-build team personnel and organization. The evaluation was completed without regard to race, creed, color, or gender. Perera's proposal received the highest score and was determined to be the best value in accordance with the provisions of the RFP. A scoring summary of the proposals is included in Attachment B.

A standard design-build contract, in a form previously approved by County Counsel, will be used. The contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees regarding the Federal Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board directed clauses that provide for contract termination and renegotiation.

# IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current County services or projects.

# **CONCLUSION**

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; Department of Parks and Recreation; and Department of Public Works, Project Management Division I.

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Respectfully submitted,

WILLIAM T FUJIOKA Chief Executive Officer

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#### **Attachments**

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Internal Services
Parks and Recreation
Public Works

# **ATTACHMENT A**

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# DEPARTMENT OF PUBLIC WORKS: CASTAIC SPORTS COMPLEX POOL PROJECT ADOPT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AWARD DESIGN-BUILD CONTRACT SPECS. 6996; CAPITAL PROJECT NO. 69557

# I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date				
Facility Program	09/30/09	09/30/09*				
Scoping Document Contract Award	07/20/10	07/20/10*				
Prequalify Design-Builders	10/30/10	12/21/10*				
Project Scoping Documents	12/31/10	12/20/10*				
Environmental Documentation	01/31/11	09/08/11*				
Award Design-Build Contract	07/31/11	09/20/11				
Construction Documents	01/31/12	03/29/12				
Jurisdictional Approvals	04/30/12	06/30/12				
Construction Start	05/01/12	03/01/12				
Substantial Completion	10/31/13	03/31/13				
Final Acceptance	12/31/13	03/31/14**				

<sup>\*</sup> Actual Completion Date.

<sup>\*\*</sup> Includes time required after beneficial occupancy to achieve certain United States Green Building Council LEED credits and obtain United States Green Building Council LEED certification for project acceptance.

# II. PROJECT BUDGET SUMMARY

Project Activity	Board Approved Project Budget	Impact of This Action	Revised Project Budget
Land Acquisition	\$ 0	\$ 0	\$ 0
Construction			
Design-Build Contract	\$ 9,220,000	\$171,222	\$ 9,391,222
Design Completion Allowance	0	190,778	190,778
Change Orders	920,000	(77,000)	843,000
Underground Pipeline Removal	90,000	(90,000)	0
Telecomm Equip – Affixed to Building	50,000	0	50,000
Civic Arts	95,000	5,000	100,000
Other: Utility Connections	85,000	(30,000)	55,000
Other: Stipend for the 2nd and 3rd Design-Build Proposers	80,000	(80,000)	0
Subtotal	\$10,540,000	\$ 90,000	\$10,630,000
Programming/Development	\$ 67,000	\$ 0	\$ 67,000
Plans and Specifications (scoping documents and support)	\$ 246,000	\$ 0	\$ 246,000
Consultant Services			
Hazardous Materials	\$ 10,000	\$ (10,000)	\$ 0
Geotechnical/Soils Report, Soil Testing, and Inspection	100,000	0	100,000
Material Testing	90,000	0	90,000
Cost Estimating	20,000	(20,000)	0
Topographic Surveys	20,000	0	20,000
Environmental	115,000	(52,000)	63,000
Other: Geophysical Survey and Potholing	33,000	0	33,000
Other: Hydrology Study	15,000	0	15,000
Other: CEQA Mitigation Monitoring	30,000	35,000	65,000
Other: Commissioning	30,000	(7,000)	23,000
Other: Gordian Group	3,000	0	3,000
Other: Labor Compliance Program	0	60,000	60,000
Subtotal	\$ 466,000	\$ 6,000	\$ 472,000
Miscellaneous Expenditures	\$ 21,000	\$ (6,000)	\$ 15,000
Jurisdictional Review/Plan Check/Permit	\$ 69,000	\$ 0	\$ 69,000
County Services			
Code Compliance and Quality Control Inspections	\$ 334,000	\$ (30,000)	\$ 304,000
Design Review	71,000	(30,000)	41,000
Contract Administration	170,000	(30,000)	140,000
Project Management	896,000	0	896,000
ISD ITS Communications	20,000	0	20,000
Project Technical Support	85,000	0	85,000
Office of Affirmative Action	15,000	0	15,000
Subtotal		\$ (90,000)	\$ 1,501,000
TOTAL	\$13,000,000	\$ 0	\$13,000,000

# **ATTACHMENT B**

# DEPARTMENT OF PUBLIC WORKS: CASTAIC SPORTS COMPLEX POOL PROJECT ADOPT MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AWARD DESIGN-BUILD CONTRACT SPECS. 6996; CAPITAL PROJECT NO. 69557

#### **DESIGN-BUILD PROPOSAL SUMMARY AND RANKING**

Proposer	Best Value Score (Max. Score = 1,000)	Base Price Proposal	Alternate 1	Alternate 2
Perera	855.75	\$ 8,550,000	\$62,700	\$872,000
C.W. Driver	849.50	\$ 8,243,344	\$30,500	\$487,390
Tilden Coil Constructors	807.25	\$10,249,429	\$34,500	\$715,258

- Alternate 1: United States Green Building Council LEED Certified level certification for the project base scope.
- Alternate 2: Shell extension of pool building and the United States Green Building Council LEED Silver level certification for the project.

# **ATTACHMENT C**

DEPARTMENT OF PUBLIC WORKS:
CASTAIC SPORTS COMPLEX POOL PROJECT
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MITAGATED NEGATIVE DECLARATION (See Enclosure)